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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
MARKETING SALES PRACTICES AND)
PRODUCT LIABILITY LITIGATION)

BARLOW, et al.,) CASE NO. CGC-06-449081
) MDL Case No. 06-1964 CRB
)
Plaintiffs,) STIPULATION AND ORDER OF
) DISMISSAL WITH PREJUDICE
vs.) AS TO PLAINTIFF MARTHA
) MCELLIGOTT
PFIZER, INC., et al.)
)
Defendants.)

COME NOW, Plaintiff MARTHA MCELLIGOTT and Defendants PFIZER, INC., et al.,
by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO PLAINTIFF MARTHA MCELLIGOTT**

1 41(a), and hereby stipulate to the dismissal of Plaintiff MARTHA MCELLIGOTT from this
2 action, with prejudice, each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

5
6 Dated: September 24 2009

KABATECK BROWN KELLNER LLP

7
8 By: 

Brian S. Kabateck, Esq.

Attorneys for Plaintiff MARTHA MCELLIGOTT

9
10
11 Dated: October 27, 2009

DLA PIPER LLP

12
13 By: /s/

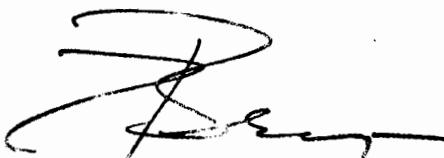
Matthew A. Holian

Attorney for Defendants PFIZER, INC., et al.

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16 **ORDER**

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18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**
19 **SO ORDERED.**

20
21 Dated: OCT 29 2009



Honorable Charles R. Breyer
United States District Court